

Hawthorn Update  
June 20, 2005

Since our Agency entered into the March 2004 consent decision and order with Mr. Cuneo and Hawthorn Corporation, it has been our position that the Hawthorn elephants be moved from Hawthorn's facility as soon as possible. To that end, Agency officials have evaluated over 100 facilities and determined that several meet the requirements of the consent decision and order. At this point, Hawthorn Corporation has donated three elephants to two licensed entities, including the Elephant Sanctuary in Tennessee. Unfortunately, some of the facilities that initially expressed interest in the Hawthorn elephants later declined to be donees.

For example, representatives with the Performing Animal Welfare Society (PAWS) have informed us that, because they recently received elephants from the Detroit Zoo, they are unable to accept Hawthorn elephants. Representatives with the Elephant Sanctuary, which has received 2 of the Hawthorn elephants through the terms of the consent decision and order and has expressed interest in receiving the 11 remaining female elephants, have stated that, among other things, they will not have permanent facilities to house the animals until September 2005. However, we believe that delaying the elephants' transfer is not the best option in this situation.

In light of the above circumstances and in accordance with the consent decision and order, our Agency continues to evaluate facilities that Hawthorn Corporation proposes as donees. We have approved the placement of four members of the Hawthorn herd at the Endangered Ark Foundation because that facility has demonstrated the ability to care for these animals in accordance with the Animal Welfare Act and the regulations and has agreed that the elephants will not travel or be in contact with the public. In cooperation with Hawthorn Corporation, we are working expeditiously to place the remaining Hawthorn elephants as quickly as possible.

We appreciate your interest in this issue and hope this information assures you of USDA's commitment to resolving this situation swiftly and in accordance with the March 2004 consent decision and order.